

DECLARATION OF KAREN L. HOFFMANN

1. I, Karen L. Hoffmann, make the following declaration based on my personal knowledge and declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

2. I am an attorney licensed and admitted in the Commonwealth of Pennsylvania (Bar No. 323622).

3. I work with Aldea – the People’s Justice Center, located at 532 Walnut Street, Reading, PA 19601, which provides legal services to detained noncitizens. Aldea currently represents a number of parents who have been separated from their children in recent months.

4. One of my clients, C.A.R., is an asylum seeker who was separated from his 15-year-old son W.S.R. My client entered the United States on May 23, 2018, and was separated from his son on May 25, 2018. They were then detained apart from each other for nearly seven weeks. While they were separated, W.S.R. turned 16.

5. I entered my appearance on behalf of C.A.R. with U.S. Immigration and Customs Enforcement (ICE) on June 18, 2018.

6. On June 28, 2018, an ICE officer presented C.A.R. with a paper that was written in English. This was shortly after he was transferred to the Otero County Processing Center in Chaparral, New Mexico.

7. My client could not read the form the ICE officer gave him. His primary language is Portuguese, and he does not read or speak English or Spanish.

8. The ICE officer told my client in Spanish—a language he does not speak, and of which he could understand a few words—that if he signed the form, he would be deported and he could see his son again. The ICE officer also said that if my client did not sign the form, he will

be detained for another four to five months without his son. The ICE officer did not indicate to my client that he could be reunited with his son any other way than deportation.

9. My client refused to sign, and said he didn't want to be deported. He said that he has a lawyer and wanted her to see anything that he signed.

10. Attached as Exhibit A is a true and correct copy of the ICE "Separated Parents Removal Form," which I filed as an attachment to an affidavit that counsel for the child Plaintiffs submitted in the consolidated matters 18-cv-4265 and 18-cv-4291 in the Northern District of Illinois. That consolidated case involved two unrelated Brazilian children separated from their respective fathers, who remained in detention in the Southwestern United States. One of those children was W.S.R. Notably, this form lacks an Office of Management and Budget (OMB) number.

11. When counsel for the Plaintiffs repeatedly asked counsel for the government Defendants (DOJ Trial Attorney Joshua S. Press, DOJ OIL Attorney Sarah B. Fabian, and AUSA Craig Oswald) to instruct their clients to refrain from communicating with the minor Plaintiffs' legal decision makers outside the presence of counsel in an attempt to coerce them into signing purportedly "voluntary" waivers of their rights, Mr. Press repeatedly stated to counsel for the Plaintiffs that the parents were not the Plaintiffs in our case, and that the parents would need to bring a separate lawsuit to get them to cease such attempts at coercion.

12. At the Preliminary Injunction hearing before United States District Court Judge Edmond E. Chang on July 5, 2018, counsel for the Government did not dispute that the form attached as Exhibit A is a true and correct copy of the form being presented to separated parents.

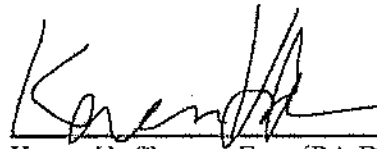
13. On July 12, 2018, pursuant to an order from a federal judge in the Northern District of Illinois, my client was reunited with his now-16-year-old son and they were released from DHS custody in El Paso, Texas.

14. We have ordered the transcript for the Preliminary Injunction hearing; however, the court reporter is out of the office for an extended period due to a serious illness in her family. We anticipate that the transcript will be available next week.

FURTHER AFFIANT SAYETH NOT,

Dated: July 14, 2018

By:



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Exh. A



Separated Parent's Removal Form

Purpose: This form is for detained alien parents with administratively final orders of removal who are class members in the *Ms. L. v. I.C.E.*, No. 18-0428, (S.D. Cal. Filed Feb. 26, 2018) lawsuit. Class members are entitled to be reunited with their child(ren) and may choose for their child(ren) to accompany them on their removal or may choose to be removed without their child(ren). Any such decision must be made affirmatively, knowingly, and voluntarily.

Instructions: This form must be read to the alien parent in a language that he/she understands. The alien parent should indicate which option he/she is choosing by signing the appropriate box below.

Parent Name / Nombre de Padre: _____
Parent A # / A # de Padre: _____
Country of Citizenship / Pais de Ciudadania: _____
Detention Facility / El Centro de Detención: _____

Child(ren) Name(s) / Nombre de Hijo: _____

Child(ren) A # / A # de Hijo: _____
Shelter / Albergue: _____

English: I am requesting to reunite with my child(ren) for the purpose of repatriation to my country of citizenship.

Signature / Firma: _____

English: I am affirmatively, knowingly, and voluntarily requesting to return to my country of citizenship without my minor child(ren) who I understand will remain in the United States to pursue available claims of relief.

Signature / Firma: _____

Certificate of Service

I hereby certify that this form was served by me at _____
(Location)
on _____ on _____, and the contents of this
(Name of Alien) (Date of Service)
notice were read to him or her in the _____ language.
(Language)

Name and Signature of Officer

Name or Number of Interpreter (if applicable)